

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

10905.0003.PCUS00

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/868,009

INTERNATIONAL APPLICATION NO.
PCT/AU00/01108INTERNATIONAL FILING DATE
13 December 1999PRIORITY DATE CLAIMED
11 December 1998

TITLE OF INVENTION

TREATMENT OF PAPILLOMAVIRUS INFECTION

APPLICANT(S) FOR DO/EO/US

Ian FRAZER and Jian ZHOU (deceased)

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Version with Markings to Show Changes Made; Version with Changes Incorporated; and Return receipt postcard

Rec'd PTO 14 AUG 2002

U.S. APPLICATION NO. (IF KNOWN) 09/868,009	INTERNATIONAL APPLICATION NO. PCT/AU00/01108	ATTORNEY'S DOCKET NUMBER 10905.0003.PCUS00
--	--	--

24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = \$0.00				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	43 - 20 =	23	x \$18.00	\$414.00	
Independent claims	5 - 3 =	2	x \$80.00	\$160.00	
Multiple Dependent Claims (check if applicable). <input checked="" type="checkbox"/>				\$270.00	
TOTAL OF ABOVE CALCULATIONS =				\$844.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$422.00	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
TOTAL NATIONAL FEE =				\$422.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$422.00	
01 FC:967 207.00 CH 02 FC:965 80.00 CH 03 FC:967 135.00 CH				Amount to be: refunded	\$
				charged	\$

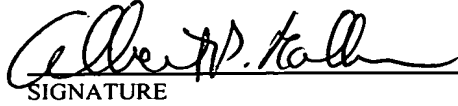
a. ☐ A check in the amount of _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. **08-3038** in the amount of **422.00** to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **08-3038**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: Albert P. Halluin HOWREY SIMON ARNOLD & WHITE, LLP 301 Ravenswood Avenue Box 34 Menlo Park, CA 94025 (650) 463-8109	 SIGNATURE Albert P. Halluin, Robin C. Chiang NAME 25,227, 46,619 REGISTRATION NUMBER 8/14/01 DATE
---	--

08-16-0

PC20 Rec'd PCT/PTO

14 AUG 2001

PCT #

08/14/01
35759 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ian FRAZER and Jian ZHOU

Appl. No. 09/868,009

Filed: June 11, 2001

For: **TREATMENT OF
PAPILLOMAVIRUS
INFECTION**

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Atty. Docket: 10905.0003.PCUS00

BOX DO/EO/US

Commissioner for Patents

Washington, D.C. 20231

Express Mail Certificate

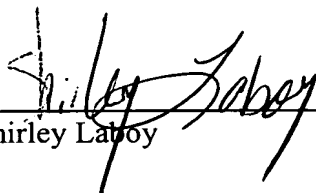
"Express Mail" label number EL615209349US

Date of Deposit: August 14, 2001

I hereby certify that the following **attached** paper and fee:

1. Transmittal to the DO/EO/US;
2. Preliminary Amendment; Version with Markings to Show Changes Made; Version with Changes Incorporated; and
3. Return Receipt Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37.C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231, or to the Commissioner for Patents, at the same address.


Shirley Laboy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ian FRAZER, *et al.*

Application Serial No. 09/868,009

Filed: June 11, 2001

For: **TREATMENT OF
PAPILLOMAVIRUS INFECTION**Group Art Unit: Not Yet Assigned
Examiner: Not Yet Assigned A. SalimiAttorney's Docket No:
10905.0003.PCUS00PRELIMINARY AMENDMENTCommissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENTIn the Specification:

On page 1, after line 5, insert:

--CROSS-REFERENCE TO RELATED APPLICATIONS

a1 The present application is a National Stage of International Application No.
PCT/AU99/01108, filed December 13, 1999, which claims priority to Australian Patent
Application No. PP 7653, filed December 11, 1998.--

In the Claims

There are two Claim 13's, please cancel the first Claim 13.

Please amend the following claims:

- sw b1
- Q.R.
1. (Amended) A method of treatment of an existing [papillomavirus () PV ()] infection [which includes the step of administration of PV VLPs selected from the group consisting of] comprising: administering a composition comprising (a) PV L1 VLPs [and] or (b) PV L1[L2] VLPs and PV L2 VLPs to a patient suffering from the PV infection.
 2. (Amended) [A] The method of treatment [as claimed in] according to Claim 1,